

**Glyndon City Council**

**07/11/2018**

7:00 a.m. Regular Council Meeting  
City Hall Council Chambers

1. **Call to Order:** Mayor Cecil Johnson called the meeting to order at 7:00 a.m.
2. **Roll Call:** Council Members Present: Justin Schreiber, Joe Olson and Kimberly Savageau; City Attorney Ken Norman, Police Chief Mike Cline, Public Works Supervisor Scott Lofgren, City Clerk Wendy Affield, Administrative Assistant Susan Dayley, City Engineers Kris Carlson and Alex Ranz.

**Absent:** Dave Owings

**As Per Sign in Sheet:** Erik Hove and Kelly Richards who arrived at 7:03 a.m.

3. **Motion to Approve Consent Agenda**
  - a. Minutes – 6-27-18 Glyndon Days Meeting Discussion Session #3
  - b. Minutes – 6-27-18 Council Meeting
  - c. Approve Resolution of Payments – A motion was made by Joe Olson to approve the Consent Agenda, seconded by Kimberly Savageau. All in favor.Motion Carried.

4. **Additions to Agenda**

➤ None

5. **Motion to Approve Agenda**

A motion to approve the 7/11/2018 Agenda was made by Kimberly Savageau, seconded by Justin Schreiber. All in favor.  
Motion Carried.

6. **New Business**

- a. **Glyndon Days 2018 Proclamation** – Mayor Johnson read the Glyndon Days 2018 Proclamation whereas, the week of August 6<sup>th</sup> through August 11<sup>th</sup>, 2018, marks the City-wide celebration of Community spirit. A motion was made by Justin Schreiber to approve the Glyndon Days 2018 Proclamation, seconded by Kimberly Savageau. All in favor.  
Motion Carried.

- b. **Approve Resolution 2018-13 – A Resolution Adopted by the City of Glyndon Related to Certain Incentives for the Purchaser of Properties Located Within Stockwood Business Park 2<sup>nd</sup> Addition** – A motion to approve Resolution 2018-13 – A Resolution Adopted by the City of Glyndon Related to Certain Incentives for the Purchaser of Properties Located Within Stockwood Business Park 2<sup>nd</sup> Addition was made by Justin Schreiber, seconded by Joe Olson. All in favor.  
Motion Carried.

- c. **Request Negotiations to Purchase Lot in Stockwood** (*executive session – closed doors*)

**Mayor Johnson Read:**

*At this time the meeting will be closed as permitted by Minnesota Statutes, section 13D.5, subdivision 3(c), to consider an offer relating to the possible purchase of Parcel #55.728.0030 in Stockwood.*

The Executive Session/Closed Doors began at 7:04 a.m. to negotiate the Request to Purchase a lot in Stockwood.

The Executive Session/Closed Doors ended at 7:16 a.m.

**d. Approve Resolution 2018-12 – A Resolution Authorizing the Sale of Real Property Located in Glyndon, Minnesota Owned by the City of Glyndon – Parcel #55.728.0030**

– A motion was made by Justin Schreiber to approve the offer for Lot 3, Block 1, Parcel #55.728.0030, seconded by Joe Olson. All in favor.  
Motion Carried.

A motion was made by Kimberly Savageau to approve Resolution 2018-12 – A Resolution Authorizing the Sale of Real Property Located in Glyndon, Minnesota Owned by the City of Glyndon – Parcel #55.728.0030, seconded by Joe Olson. All in favor.  
Motion Carried.

**e. Schedule Dates for Budget Meetings**

- **Police Department – Chief Cline** – August 8, 2018 during the Regular Council Meeting at 7:00 a.m.
- **Water Department – Scott Lofgren** – August 22, 2018 at 5:30 p.m. before the Regular Council Meeting.
- **Sewer Department – Scott Lofgren** - August 22, 2018 at 5:30 p.m. before the Regular Council Meeting.
- **Maintenance Department – Scott Lofgren** - August 22, 2018 at 5:30 p.m. before the Regular Council Meeting.
- **General – Wendy Affield** – September 12, 2018 at 5:30 p.m. before the Regular Council Meeting. Council moved the 7:00 a.m. morning Council Meeting to an evening Council Meeting starting at 6:30 p.m.

**7. Old Business/Unfinished Business**

**a. Discussion Concerning Fountains in Southview – Kelly Richards** – Mayor Johnson indicated the City is in discussions with Richards to create an agreement in regards to the fountains that will be located in the Southview Addition retention pond. Richards stated he deleted the emailed copy of the agreement that was proposed because he did not agree with the terms. Richards stated he understands having to purchase, maintain and pay the electricity for the pumps but does not understand why 3-phase power is required. Richards informed Council the cost to install 3-phase electricity is very high and he can run the fountain pumps with single-phase. Carlson stated the connection line has 3-phase power on the lift stations where the tie in is located. Lofgren confirmed the lift stations do have 3-phase power. Discussion between Carlson and Richards determined 3-phase pumps do not need to be used for the fountains. Richards reiterated his offer was to pay for the pumps and fountains in which water needs to circulate in the retention pond to keep it clean and mosquito free. Richards stated his original offer was to buy, install and store the pumps for two (2) years and the agreement that was drafted stated five (5) years, then the City will decide if they want to take over the maintenance. Richards is not comfortable to the monthly reports requested for the cost and maintenance expenses concerning

the fountains. Richards informed Council he is recanting his offer and will only purchase the pumps and the fountains. Olson questioned if there are other options in maintaining the water in the retention pond. Council needs to look at all options and do what is financially best for the residents of Glyndon since the Parke Avenue Project will be starting in 2019. Olson summarized by saying if it is necessary to have pumps to maintain the pond, he is in favor of it; if this is purely for esthetics, he is not in favor of it. Schreiber stated pumps are needed in the pond to keep the water circulating which will help keep the water from becoming stagnant. Schreiber is in favor of the fountains, he believes the City would recoup the funds spent to maintain the pumps with the revenues that will come in from the homes built in the addition. Mayor Johnson agrees 3-phase pumps are not needed however he has spoken to people in other cities reporting the pumps do not last long, five (5) years or less. Carlson explained the MPCA (Minnesota Pollution Control Agency) believe fountains do negate the storm water treatment because it does not allow the particles to settle. Carlson stated there is a pump station in Southview that allows us to turn the pumps on to circulate the water. Carlson explained there are other ways to maintain the water as most developments do not have fountains in their ponds. Carlson believes the water is dirtier with the fountain pumps because the sediments do not settle to the bottom like they should, which in turn wears the pumps out more rapidly. Mayor Johnson asked the Council where we go from here. Olson wondered if there are no pumps, does the water become scummy and stagnant. Lofgren affirmed to Council there are chemicals available to treat algae. Olson commented there is either a cost for the electricity to circulate the water or chemicals to treat the water. Olson agreed the fountains would look nice in the pond. Richards responded he is trying to do something nice for the City to attract residents. Savageau explained she is uncomfortable with the 'what if' factor on the cost of maintaining the pumps in the pond. Richards responded if anything would need to be replaced, it would be the pumps, not the fountains. Olson expressed the concern is for budgeting purposes, the City took out a Bond for the Southview Development which puts them also at risk, we want to see the development grow but not everyone in town feels the same, Council needs to take that into consideration. Olson questioned Richards if he has contacted Sullivan inquiring whether or not he wants to be involved with the issue at hand because the pond benefits the Charleswood Development as well. Richards informed Council it has been determined it will cost approximately \$150.00 per month to operate the three (3) pumps that will be on timers 4 to 5 months a year. Olson confirmed with Richards he will purchase the pumps if they are single phase, not 3-phase, the City would have to replace the pumps if anything went wrong. Richards stated he believes the warranty on the pumps is five (5) years, he will need to check on that. Olson expressed if the City takes over the pumps and then in ten (10) years decides to do away with them, they are able to. Schreiber stated in ten (10) years there should be plenty of homes in the development that will bring in revenue to offset the cost if the pumps need to be replaced. Norman explained the document created is for approval as to its form but is a 'rough draft' and the pump specifications have to be approved by the City Engineer. Norman clarified changes can be made to the document as soon as decisions have been made on items relating to the issue. Richards communicated to Council he received bids from an electrician for single-phase electricity which will be approximately \$8,125.00, this expense can be added to the special assessments so there is no cost to the City. Schreiber questioned Richards what the replacement cost of a single-phase pump is. Richards stated it would cost approximately \$1,000.00. Affield explained the years in the agreement could read however many years Council decided on, it does not have to be five (5) years. Chief Cline stated, if the pumps have a five (5) year warranty, they are covered if the contract stays at five (5) years. Savageau would like to have the details in writing concerning the pumps, such as, how the pumps operate, warranty information, pump picture and model number so Council can do their own research. Norman stated the License Agreement requires approval by the City Engineer concerning the specification of the pumps. Richards informed Council he has just Googled water fountains, he has not decided on a specific model at this time. Savageau asked Richards if he could give the specifications for

the fountains he is considering to Council so they can see what replacement costs may be. Mayor Johnson asked Richards to please present City Hall or City Engineer Kris Carlson the specifications on the pumps he is looking at to purchase for the pond, so then in turn, Council can make a decision.

Affield explained Council needs to decide who will be paying the monthly electricity bill for the pumps, this also can be adjusted in the License Agreement. Olson stated if the path around the pond is considered a park it should be paid for by the City.

Tabled until August 25, 2018 Council Meeting.

Mr. Norman explained the contract is in a form of a license, which means you are not getting a formal easement, this is just the right to go on the property. This is the least restrictive way of creating an agreement.

**b. Approve Agreement Between the City of Glyndon and Kelly Richards Concerning Three Fountains Installed in the Southview Retention Pond – Tabled.**

**c. Project Updates – Kris Carlson** – Carlson distributed a memo prior to the Council Meeting and will touch on a few items. The Watermain Looping Project, for the most part, is complete with a few punch list items to be completed before everything is finalized sometime in August with the PFA closeout items.

Carlson reported the Southview Project has been completed except for a few outstanding punch list items they are working on. The biggest item remaining is cleaning out the 12<sup>th</sup> Street ditch. After the meeting, Mayor Johnson, Kris Carlson, and Joe Olson will meet with the concerned land owner to get his detailed concerns. Carlson stated he will be meeting with Sellin Brothers, Inc. tomorrow to go over final quantities. When this is complete to the City's satisfaction, Affield and Carlson can finalize what the assessment dollars will be. Carlson explained the Assessment Hearing needs to be done sometime in September so the figures can be sent to the County.

Carlson reported the Corrective Plat has been reviewed by the Engineers and the comments were addressed. Carlson stated once the City Attorney Ken Norman and County Recorder are pleased with the corrections, LJA will be able to print the plat and gather signatures. Once this has been completed, the original Vacation Resolution needs to be modified to include the original utility easements from Centennial Addition along with a small portion of property on the west end of 14<sup>th</sup> Street. Savageau added the language needs to also be cleaned up on the Resolution regarding the vacating of streets in Charleswood, it would be best to do both items at the same time.

Carlson commented on the Charleswood Addition, he believes Sullivan intends to have the City bond for the project. Before that occurs, there are several procedural items that need to be completed before the project can be awarded. Mayor Johnson asked Norman if he has had conversations with David Drown regarding this issue. Norman informed Council he has been in contact with Drown several times. Norman reported Sullivan's attorney contacted him in regards to extending one more year on the assessment deferrals since he has not yet started the development. Norman expressed this is an issue Council needs to determine. Norman reminded Council each time an extension is given it means you are pushing back the time for that project to start. Norman indicated the City has been involved in this development for several years and have not seen any construction activity in the Charleswood Addition. Norman reminded Council the Developer's Agreement has not been finalized at this time. Carlson explained if the City will

be going through the bonding process, there is a 3 to 4-week time frame to present a Public Hearing because Sullivan does not have 100% ownership of the development, followed by another 3 to 4-week public bidding process which pushes breaking ground, at the earliest, to late September or early October. Carlson stated unless Sullivan pays for the improvements upfront he does not see how it would be able to start this year. Savageau asked Carlson to explain how Sullivan does not own 100% of the lots in the development. Carlson explained three lots about the Charleswood Addition and will be benefited properties unless they waived the right to the hearing and make it 100% petitioned a notification period would still need to happen. Norman stated Sullivan may need to contact the three (3) property owners to have them sign the petition. Affield reminded Council there is a bond payment due whether or not the project gets pushed back. Norman stated the Developer shifts the bond payment to the property owners in the development. Carlson communicated he has a rough draft of the cost per lot and can pass along what the Developer's portion of the bond payment will be so Drown can look at the numbers. Norman reminded Council when looking at the Developer's Agreement they will need to decide if they want to go an extra year with the deferral on the special assessments. Mayor Johnson wondered if the City would be shorting themselves by approving the deferral. Norman said someone needs to make the bond payment, either the Developer or the City. Affield stated if a TIF District is formed the City will not receive funds for many years. Mayor Johnson suggested parties involved with making these decisions should get together, make a decision so the project can move forward. Norman stated Drown is waiting for additional financial information from Sullivan or his legal counsel, to forward on to Affield. Norman declared the Council has a policy decision to make regarding allowing a TIF District. Schreiber asked why we would allow a TIF District in that area, right now we are not receiving tax revenue from the Centennial Addition. Norman explained when Centennial was first being discussed that was the only option for the City, otherwise the development would not have been completed. Norman informed Council once the TIF District has been completed the City will receive the revenues. Olson suggested inviting Sullivan to the next Council meeting to discuss what his timeline and plans are for the Charleswood Addition. Olson conveyed there is clean up that does need to take place in the Charleswood Addition, the pile of material needs to be leveled and weeds need to be controlled and cut. Mayor Johnson will contact Mr. Sullivan.

Carlson reported they requested quotes from three (3) contractors on the 2018 Sealcoat project in which they received one quote that came in at \$49,000. Carlson stated one was declined and he is waiting to hear back from the last one. Carlson confirmed the City's budget for this project was at \$42,000 and once he has more information on the other bid, he will bring it to Council before any final decisions are made.

Carlson let Council know the Phosphorus Management Plan was submitted to Lofgren for his review and comments. After Lofgren's approval, Mayor Johnson will need to sign the document, then will be sent to the MPCA.

Carlson expressed he will be working with Alex Ranz on the Capital Improvement Plan to get a street maintenance program in place for future budgeting.

**d. Discussion Concerning Rebid Process for Parke Avenue – Kris Carlson – Erik Hove** – Carlson stated he invited Erik Hove, Clay County Engineer, to the Council meeting to discuss the Parke Avenue Project schedule. Carlson suggested sending a memo to the residents regarding the project schedule, in which he presented a draft copy for the agenda packet. Carlson informed Council he has been working on the current market conditions of contractors and suppliers trying to reduce the budget for the project. Carlson reported feedback from the contractors and suppliers indicated there is a lot of work still to be completed yet this year and

based upon material costs being high at the present time, now is not the optimal time to receive bids. Carlson recommends a call for bids during the winter months. Carlson stated because of modifications and adjustments of the Phasing Plan, the original 115-120 working days needed to complete this project may be reduced. Carlson communicated coordinating this project with the DGF School improvements would be beneficial to integrate changes that may be needed before construction begins. Carlson explained we need to coordinate with BNSF for the Parke Avenue Project and Quiet Zone Improvements to maintain a flow of traffic.

Carlson is proposing to advertise for bids in December 2018/January 2019, receive bids January/February 2019, award contracts March 2019, begin construction April/May 2019, and the final completion in October 2019. Carlson reiterated the County Engineers and Ulteig have been working diligently to get this project back into a realistic budget. Carlson reported the utilities in the bid came in high which impacted the City's portion of the project. Olson stated he would like to see what a \$3 million bond will impact the City on a tax levy figure, this way he can look closer at the larger plan for the City's future. Carlson stated he should be able to present more realistic numbers. Affield asked if the "Memo" concerning the Parke Avenue Project should be mailed to everyone in the city limits or who is abutting the project. Carlson stated "it should be sent out City wide, this project will affect everyone". Norman stated we need to have the papers signed by the Seters concerning the Parke Avenue pond. Mayor Johnson will contact the Seters to see when a good time would be to sign the papers at City Hall. Carlson informed Council the County approved pushing back the payment of the invoice until the bond financing is in place.

Moved to Item 8.a.

**e. 418 2<sup>nd</sup> Street Discussion** (*next step moving forward*) – Mayor Johnson informed Council he spoke to Mr. Sjothun and stated he will be contacting the City Building Inspector, Steve Schroeder to work on sewer and water connections to the street. Lofgren informed Council a licensed plumber has to install the lines. Lofgren stated the hole that was dug for the water and sewer lines need to be filled as soon as possible because the sides are starting to cave in and the complete street will be in need of costly repairs. Affield communicated she did stop by and spoke to Mr. Sjothun last week, he now has a fence around the open hole that was dug and stated he was going to install the curb stop himself, which she then told him a licensed plumber needs to do it. Affield asked Sjothun to stop at City Hall the following day to present him the letter sent from Miller, Norman & Associates Law Firm and a copy of the City Ordinance. Mr. Sjothun did not show up the following day like he said he would. Norman informed Council a Certified Letter was sent to Mr. Sjothun and Ms. Peterson which came back to the attorney's office. Norman stated they sent the same letter in a plain envelope that did not come back and assumes they did get the letter. Olson believes the City has given them plenty of chances and opportunity to complete their housing project that is going on the third year of construction. Norman stated if the street does start to cave in, the City will need to make an emergency repair and assess the cost directly to the property owners. Olson expressed there have been many complaints from residents of the unsightly mess the property is in and because of safety concerns, immediate action needs to take place. Savageau questioned the cost of having a licensed plumber connect the sewer and water to the property. Lofgren estimated it would be \$5,000 - \$7,000. Norman questioned if anyone was living in the house because there is not a Certificate of Occupancy. There was discussion among Council and staff and it was determined there is a good possibility someone is. Norman suggested scheduling a hearing and having Sjothun and Peterson come in so Council can explain what is expected and what the time line will be. Norman stated you need to follow his due process rights. Norman questioned if the property taxes have been paid. Affield responded with not at this time. Savageau asked Norman if the City needs to schedule a Special Hearing or if it can be held at a Regular Council Meeting. Norman stated the sooner it is done the

better and can be heard at a Regular Council Meeting. Savageau stated the City needs to give the property owners a hard deadline and if it is not completed by the date and time stated, Lofgren will take measures to resolve the issues not accomplished by the property owners. Chief Cline expressed to Council this would be a good time to clear all the unlicensed and any other hazards on the property. Norman stated Chief Cline would need to serve notice on the property owners. Norman suggested the City ask the owners if they would consider deeding the property back to the City and a title search would need to be completed. Lofgren communicated he would like the trench filled in and other requirements accomplished by August 3, 2018 by 8:00 a.m. Norman explained the notice be created regarding discussion will be had at the next Council Meeting on the condition of the property and failure of the owners to meet City standards and will be given an opportunity to be heard. With this said, the City may take further action. Norman stated both Mr. Sjothun and Ms. Peterson shall be served.

**8. Department Reports / Committee Reports**

**a. Mike Cline, Police Chief** – The department has logged 1670 calls of service for the year, averaging 278 calls of service per month. Chief Cline has been working with Fire Chief Cuchna updating the DOT emergency operations manual. Chief Cline reported they have been scheduling fire arm qualifications with the Hawley Police Department which will be held during the first part of August. Chief Cline informed Council he has been in contact with Captain Cheney regarding a speed sign being posted on Highway 10, on the east end of town. Cline explained the battery wears out quickly and because of that, MnDOT is going to set it in ‘stealth mode’ so you will not see the lights but it will still continue recording data that will be turned over to MnDOT. Mayor Johnson stated when he talked to Captain Cheney, he is on board with moving the speed sign farther out than where it sits now. Chief Cline reported the officers from the department made 218 traffic stops in the month of June. The preliminary budget will be ready July 27, 2018 and given to the Fire and Police Department Committee for review.

**b. Bob Cuchna, Fire Chief** – Absent

**c. Scott Lofgren, Maintenance/Public Works Supervisor** – Nothing at this time.

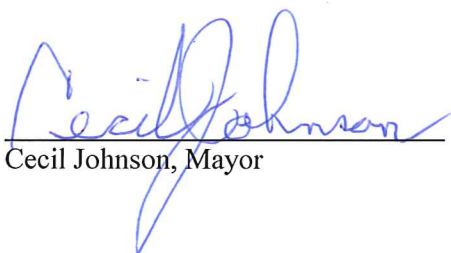
**d. Wendy Affield, City Clerk** – Affield presented an updated 2<sup>nd</sup> Quarter Budget worksheet to Council. Affield informed Council the Bridge Street Repair that was put into escrow has a balance of \$18,329.90, the Seal Coating escrow is at \$16,000.00 with \$32,000 in the 2018 budget.


Moved to Item 7.e.

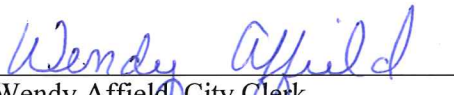
**9. Open Forum -**

**10. Miscellaneous Announcements** – Chief Cline stated he has ordered the new Police Squad approved by Council and missed the deadline for the 2018 but will be getting a 2019 for the same price.

**11. Adjournment** - A motion to adjourn at 8:40 a.m. was made by Justin Schreiber, seconded by Kimberly Savageau. All in favor.  
Motion Carried.

  
Cecil Johnson, Mayor

  
Susan Dayley, Administrative Assistant

  
Wendy Affield, City Clerk

July 11, 2018 Glyndon City Council Minutes